

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

PAMELA A. LAZORKO, Plaintiff, v. THE TRUSTEES OF THE UNIVERSITY OF PENNSYLVANIA, Defendant.	: : : : :	CIVIL ACTION NO. 11-cv-7294 JURY TRIAL DEMANDED
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ORDER

AND NOW, this day of , 2012, upon consideration of Plaintiff's Motion for Order Transferring Case to Civil Suspense Docket, the reasons therein stated to be a medical condition requiring surgery and a post-surgical recovery period which will preclude the plaintiff from actively participating in the litigation for a period estimated by her doctor to be "several months" in duration, it is hereby **ORDERED** that said motion is **GRANTED. IT IS FURTHER ORDERED** as follows:

1. In accordance with the Court's Standing Order of June 24, 1975 (Civil Suspense Docket), the Clerk shall immediately transfer the above-captioned case from the current case list to the Civil Suspense Docket until further Order, and take such further action as required by the Standing Order.
2. All deadline dates set forth in the Court's Order of February 14, 2012 are hereby suspended until further Order, subject to rescheduling after a status conference.

3. A status conference with the Court shall be held approximately three (3) months after the date of this Order. Said status conference shall be held on _____ at _____ am/pm.

BY THE COURT:

Legrome D. Davis, J.

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**PLAINTIFF'S MOTION FOR ORDER TRANSFERRING CASE
TO CIVIL SUSPENSE DOCKET**

Pursuant to Local Rules of Civil Procedure 1.1.1(c), 7.1 and ¶1.a of the Standing Order of June 24, 1975 of the U.S. District Court for the Eastern District of Pennsylvania, Plaintiff in the above-captioned action, by her undersigned attorney of record, hereby moves this Honorable Court for the entry of an Order transferring the case from the current active docket to the Civil Suspense Docket for a period of three (3) months. Plaintiff also requests that the case be calendared for a status conference in late July or early August, 2012. In support hereof, Plaintiff represents the following:

1. The undersigned was recently informed by the Plaintiff that she has a medical condition which will require surgery, followed by a period of treatment and convalescence which will likely make her unable to actively participate in the litigation.
2. In response to requests by the undersigned for written medical verification of the information referred to in ¶1, on April 12, 2012, the undersigned received an undated letter from a Tamara Fedec, DO. A copy of said letter, which the undersigned has marked "Confidential" was faxed and emailed to counsel for the Defendant on April 12, and is being faxed to chambers simultaneously with the filing of the instant motion.

3. Although the specific nature of the medical condition is not mentioned in Dr. Fedec's letter, Plaintiff has informed the undersigned of the nature of the condition. No other medical verification has been received by the undersigned, and as of this filing, Plaintiff has not undergone surgery.

4. Based on the representations in Dr. Fedec's letter, and the expressed intent of the undersigned to file the instant motion, counsel for the parties agreed to postpone and reschedule Defendant's deposition of the Plaintiff, previously scheduled for April 18, 2012, and Plaintiff's depositions of Dorinda Carolina and Eileen Levinson, scheduled for May 1 and May 10, 2012, respectively. Likewise, counsel have agreed to extend the deadline for Defendant's responses to Plaintiff's interrogatories and document requests.

5. Based on the content of Dr. Fedec's letter, and the need for Plaintiff to be able to actively participate in all aspects of the litigation, including the appearance at a deposition, it is suggested by the undersigned that the case should be removed from the active docket for a reasonable amount of time to allow Plaintiff to recover sufficiently from the surgery to resume normal activities. It is estimated by the undersigned, based on nothing more than what is stated in Dr. Fedec's letter, that three months is a reasonable period of time to keep the case in the civil suspense file pending a status update.

6. Also being faxed to chambers today is a letter to the undersigned from counsel for the Defendant, dated April 10, 2012. That letter is also marked "Confidential" by the undersigned because it refers to the exact nature of the medical condition. Plaintiff respectfully requests that the Court not file of record the two (2) letters referred to in this

motion, in accordance with the Confidentiality Stipulation between the parties, approved by the Court on March 2, 2012.

7. Based on communications with counsel for the Defendant, it is believed that this motion is unopposed. Accordingly, a Local Rule 7.1(b) certification is attached hereto.

/s/ Frank Finch, III

FRANK FINCH, III
1500 John F. Kennedy Boulevard
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Philadelphia, PA 19102
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Attorney for Plaintiff

Dated: April 19, 2012

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PAMELA A. LAZORKO, Plaintiff, v. THE TRUSTEES OF THE UNIVERSITY OF PENNSYLVANIA, Defendant.	: : : : :	CIVIL ACTION NO. 11-cv-7294 JURY TRIAL DEMANDED
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VERIFICATION AND LOCAL RULE 7.1(b) CERTIFICATION

Pursuant to Local Rule 7.1(b) of the Local Rules of Civil Procedure of the U.S. District Court for the Eastern District of Pennsylvania, the undersigned hereby certifies that he has conferred with counsel for the Defendant, and that he believes that the foregoing motion is uncontested.

As to the factual representations made in the motion, the undersigned can only verify, based on personal knowledge, the representations made concerning his communications and agreements with counsel for the Defendant, and those concerning the status of discovery.

/s/ Frank Finch, III

FRANK FINCH, III
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Fax: (215) 567-1998
Attorney for Plaintiff

Dated: April 19, 2012

CERTIFICATE OF SERVICE

I, Frank Finch, III, Esquire hereby certify that on this 19th day of April, 2012 I caused a true and correct copy of Plaintiff's Motion for Order Transferring Case to Civil Suspense Docket to be served via electronic and U.S. mail to counsel for the Defendants addressed as follows:

Janice G. Dubler, Esquire
Montgomery, McCracken, Walker & Rhoades, LLP
457 Haddonfield Road
Suite 600
Cherry Hill, NJ 08002-2220

/s/ Frank Finch, III
Attorney for Plaintiff

Date: April 19, 2012